

Claims 2-4 have been amended as to form in response to the objection in the Official Action. Reconsideration and withdrawal of the objection are respectfully requested.

Claim 11 has been canceled and claims 10 and 12 have been amended, leaving in the application amended independent claims 5, 10, and 12, and claims 2-4 that depend from claim 10.

Claims 2-3 and 10-12 were rejected as anticipated by IJICHI et al. 5,932,859. Reconsideration and withdrawal of the rejection are respectfully requested in view of the present amendment.

Claims 10 and 12 are directed to embodiments of the present invention in which the programmable device includes plural functions that are unavailable for use until purchased and activated, and in which the purchase and activation of a previously unavailable one of the functions causes the modification of a numerical value stored in an information carrier. Support for the amendment is found, for example, at page 2, second paragraph.

As is clear from the specification, when read in its entirety, the system and method claimed allow a user to selectively purchase and activate only some of the functions available in a programmable device, leaving some of the functions unavailable for use until later activated and purchased. This allows the manufacturer to supply one device with a complete array of functions (reducing cost by providing only one device)

and the user to have the option to buy only some of its functions now and more later. The information carrier conveys the credit/debit information necessary for the later purchase and activation.

IJICHI et al. do not disclose this system and method and thus the amended claims avoid the rejection under §102. IJICHI et al. disclose an electronic wallet that can be used to perform several functions, such as money transfer (column 4, lines 41-49). However, there is no provision for making some of the features unavailable for use until they have been selectively purchased and activated. If the electronic wallet in IJICHI et al. were to operate in the manner claimed, then the ability to transfer money, for example, would not even be available for use unless the owner of the wallet selectively purchased and activated the money transfer function and paid the fee associated with the function by modifying a value stored in an information carrier. IJICHI et al. do not disclose this.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

CLEWITS S.N. 09/319,071

Attached hereto is a marked-up version of the changes made to the specification and claims. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

YOUNG & THOMPSON

By 

Thomas W. Perkins
Attorney for Applicant
Registration No. 33,027
745 South 23rd Street
Arlington, VA 22202
Telephone: 521-2297

January 2, 2003

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Page 5, the paragraph beginning on line 24 has been amended as follows:

--Fig. 1 diagrammatically shows an embodiment of a system [S] according to the invention for the selective activation of one or several software and/or hardware functions of an electronic device. The system comprises a programmable device 1 which has been provided at the manufacturer's with any number of functions in the form of modules which might be desired by the end users. The modules, however, have not yet been activated, but they are activated on demand by the supplier (wholesaler) against payment.--.

IN THE CLAIMS:

Claim 2 has been amended as follows:

--2. (twice amended) [A] The system as claimed in Claim 10, [characterized in that] wherein the programmable device comprises the programming means and the reading means.--

Claim 3 has been amended as follows:

--3. (amended) [A] The system as claimed in Claim 2, [characterized in that] wherein the programmable device is an automatic payment machine.--

Claim 4 has been amended as follows:

--4. (twice amended) [A] The system as claimed in Claim

10, [characterized in that] wherein the programmable device is coupled at least temporarily to [separate] the programming means, which programming means comprise the reading means and, at least temporarily, the electronically readable information carrier.--

Claim 5 has been amended as follows:

--5. (amended) [A system as claimed in Claim 4, characterized in that] A system for selective activation of one or several software and/or hardware functions in a programmable device, comprising:

reading means for receiving an electronically readable information carrier that includes a programmable memory for storing a numerical value,

programming means for modifying the numerical value in accordance with the functions activated in the programmable device,

wherein the programmable device is coupled at least temporarily to the programming means, the programming means comprising the reading means and, at least temporarily, the electronically readable information carrier, and

wherein the programmable device is a timer.--

Claim 10 has been amended as follows:

--10. (twice amended) A system for selective purchase and activation of one or several software and/or hardware functions in a programmable device in which the functions are unavailable for use until purchased and activated, comprising:

reading means for receiving an electronically readable information carrier that includes a programmable memory for storing a numerical value; and

programming means for modifying said numerical value in accordance with the previously unavailable functions that have been made available for use by being purchased and activated in the programmable device.--

Claim 12 has been amended as follows:

--12. (amended) A method of activating a function of a programmable device having plural functions that are unavailable for use until being selectively purchased and activated, the method comprising the steps of:

electronically reading an electronically readable information carrier on which a first value is stored;

coupling the programmable device having the plural functions that are unavailable for use until being selectively purchased and activated to a program capable of selectively purchasing and activating the plural functions;

selecting [for activation] at least one of the plural functions to be made available;

making available and activating the selected function;

coupling the program to the information carrier; and

purchasing the activated function by debiting from the first value a second value of the activated function.--